

Royal Decree
No.: 53/2023
Promulgating the Labor Law

We, Haitham bin Tarik, the Sultan of Oman

After perusal of the Basic Statute of the State,
The Arbitration Law in Civil and Commercial Disputes promulgated by Royal Decree No. 47/97,
The Labor Law promulgated by Royal Decree No. 35/2003,
The Royal Decree No. 89/2020 establishing the Ministry of Labor, determining its competences and adopting its organizational structure,
The Social Protection Law promulgated by Royal Decree No. 52/2023,
After being presented to the Council of Oman,
and in pursuance of public interest,

We have decreed as follows:

Article I

The provisions of the attached Labor Law shall apply.

Article II

The Minister of Labour shall issue the necessary regulations and decisions for implementing the provisions of the attached law, and until they are issued, the regulations and decisions in force continue to operate to the degree that they do not contradict with its provisions.

Article III

Those addressed by the provisions of the attached law shall adjust their status in accordance with its provisions within (6) six months from the date of its entry into force.

Article IV

The aforementioned Labor Law is hereby repealed, as well as all that is contrary to the attached law, or in conflict with its provisions.

Article V

This decree shall be published in the Official Gazette, and comes into force on the day following the date of its publication.

Issued on: 7 Muharram 1445

Corresponding to: July 25th, 2023

**Haitham bin Tarik
Sultan of Oman**

The Labor Law

PART I

Definitions and General Provisions

Chapter I

Definitions

Article (1)

In applying the provisions of this law, the following words and phrases shall have the meaning indicated next to each of them, unless the context of the text requires a different meaning:

1- The Ministry:

The Ministry of Labor

2- The Minister:

Minister of Labor

3- The Competent Authority:

The relevant General Directorate in the General Secretariat of the Ministry or the General Directorate of Labor in the Governorate or the Labor Administration or its branches, as the case may be.

4- The Committee:

The committees for resolving collective labor disputes stipulated in Article (116) of this law.

5- The Work Permit:

The written approval issued by the Ministry to the employer to recruit non-Omani workforce in a specific profession.

6- License to Practice Work:

The written approval issued by the Ministry for the worker to practice work in a specific profession.

7- The Omanization:

The employment system prepared by the Ministry for professions in order to achieve the targeted employment and replacement for Omanis.

8- The Establishment:

Any project in which the employer carries out his activity.

9- The Employment Contract:

Any agreement under which the worker undertakes to work for the benefit of the employer, under his management and supervision in return for wages.

10- The Employer:

Any natural or legal person who employs one or more workers for wages.

11- The Worker:

Any natural person who works for wages for an employer under his management and supervision.

12- The Juvenile Worker:

Any worker who is fifteen (15) years of age or older, but has not yet reached eighteen (18) years of age.

13- The Overtime Work:

The work that is performed outside of the working hours set forth in this law.

14- The Remote Work:

A work system in which the worker performs his work or duties using information and communication technology within the Sultanate of Oman outside the premises of the establishment, whether partially or fully.

15- The Working Hours:

The time when the worker is under the management and supervision of the employer.

16. The Night Working Hours:

The period between 9:00 p.m. and 5:00 a.m., during which the worker is under the management and supervision of the employer.

17- The Basic Wage:

The cash consideration agreed upon between the worker and the employer in the employment contract, plus the periodic allowance.

18- The Gross Wage:

The basic wage plus all allowances and benefits that are determined for the worker in return for his work.

19- The Collective Labor Agreement:

An agreement concluded between the employer and the workers or their representatives that regulates the terms, conditions and provisions of work.

20- The Collective Labor Disputes:

The dispute that arises between the employer and the workers regarding the terms and conditions of work in the establishment.

21- The Probation Period:

The period that enables the employer and the worker to judge the continuation of each of them in the employment relationship.

22- The Economic Reason:

A financial loss suffered by the employer for a period of not less than two (2) consecutive years. Failure to achieve profits or the closure of one of the employer's activities or branches for reasons related to the lack of feasibility of continuing them is not considered a financial loss.

23- The Year:

(365) Three hundred and sixty-five days.

24- The Month:

(30) thirty days.

**Chapter II
General Provisions**

Article (2)

The provisions of this law apply to all employers and workers, and do not apply to those whose work is regulated by special laws or regulations.

The minister may, by decision, regulate the work of categories with a special nature of work, provided that the decision includes, in particular, the following:

- (a) Work rules and conditions.
- (b) Penalties incurred by violators.
- (c) Exemption from judicial fees in all cases arising from labor disputes filed by workers or their beneficiaries.
- (d) Regulation of the work of officers with judicial powers.
- (e) The conditions, rules and fees for work permit, practice permit, renewal, and data registration and renewal, after the approval of the Ministry of Finance and the Council of Ministers.
- (f) The guarantees that must be available in the employer, whether financial or in-kind or any other amounts directly or indirectly related to the legal relationship between the employer and the worker.

Article (3)

Every employer shall provide the worker with the minimum rights stipulated for the worker under the provisions of this law. It is not permitted to make any reduction in the levels and conditions under which the worker was employed before the entry into force of this law if the worker remains in the service of the employer after the entry into force of the law.

Article (4)

Any condition or agreement that violates the provisions of this law, even if it is prior to its entry into force, shall be void unless it is more beneficial to the worker. Any discharge, reconciliation, or waiver of the rights arising from this law if it is in violation of its provisions shall be void, and any better conditions prescribed for the worker under the laws, regulations, and decisions in force at the date of the entry into force of this law shall continue to apply.

Article (5)

The employers are prohibited from imposing any form of forced or compulsory labor on workers.

Article (6)

The employers may not keep workers' passports or other personal documents unless the worker has given written consent.

Article (7)

Arabic is the official language for regulations, decisions, and circulars issued by employers to their workers.

If an employer uses a foreign language in addition to Arabic in any of these cases, the Arabic text shall prevail.

Article (8)

Every employer employing (50) fifty or more workers shall establish a grievance and complaint system in their establishment after it has been approved by the competent authority. This system shall include the right of workers to file complaints or grievances with the employer or their representative. The employer shall provide workers with an approved copy of this system.

Article (9)

Labor disputes arising from claims of rights stipulated in this law or a employment contract shall not be accepted if they are initially filed with the competent court without submitting without first submitting a request for settlement to the relevant administrative division of the Ministry. The administrative division will then attempt to settle the dispute between the parties in accordance with the provisions of this law within a maximum period of 30 (thirty) days from the date of submitting the request.

If the dispute is resolved between the parties in front of the relevant administrative division of the Ministry, the settlement will be recorded in a minutes signed by the parties, the competent employee in the ministry and an assigned judge, that shall have the force of the enforcement bond, and the dispute shall end to the extent that it has been settled. A certified copy of the minutes will be issued with a writ of execution in accordance with the provisions of the Civil and Commercial Procedures Law, taking into account the rules of jurisdiction prescribed by law.

If the dispute is not resolved between the parties, the relevant administrative division of the Ministry shall refer the dispute to the competent court within (7) seven days from the date of the last settlement session. The referral must be accompanied by a memorandum that includes the facts of the dispute, the names of the parties, their original or chosen domicile for litigation purposes, the statement of the worker's wage, the claims in the lawsuit, and a copy of the employment contract and other arguments and evidence presented by the parties.

The right to claim any of the rights stipulated in this law lapses after one year from the date on which it becomes due. For rights that arose before this law came into effect, the one-year period is calculated from the date on which the provisions of this law came into effect.

Article (10)

Workers who are dismissed from work may submit a complaint to the competent authority within (30) thirty days of being notified of the decision. The authority shall then take the procedures set forth in Article (9) of this law.

Article (11)

If the competent court finds that a worker's dismissal was arbitrary or in violation of the law, it must either rule to the worker to be reinstated or to oblige the employer to pay the worker compensation of at least (3) three months' wages, up to a maximum of (12) twelve months, calculated on the basis of the worker's last gross wage, taking into account the worker's circumstances and length of service, in addition to:

- 1- The end-of-service gratuity to which the worker is legally entitled and all other benefits stipulated by law or the employment contract, whichever is greater.
- 2- The gross wage for the period of notice stipulated by law or the employment contract, whichever is greater.
- 3- The insurance contributions due for the period from the date of the arbitrary dismissal until the issuance of the final judgment.

Article (12)

An employer's termination of an employment contract shall be considered an arbitrary dismissal of the worker if the termination is for any of the following reasons:

- 1- Sex, origin, color, language, religion, creed, social status, disability, pregnancy, childbirth or breastfeeding for female workers.
- 2- The worker's affiliation to a trade union or their legitimate participation in any of its activities or because of their representation in trade union work in accordance with the laws, regulations and decisions issued in this regard.
- 3- Filing a complaint, report, or lawsuit against the employer, unless the complaint, report, or lawsuit is malicious.
4. For disciplinary reasons without taking into account the provisions of this law, labor regulations, and the disciplinary regulations in the establishment.
- 5- The worker's absence from work due to his arrest or detention by the competent authorities and the expiration of the period of arrest or detention without being referred to the competent court or the court declaring his innocence.

Article (13)

All lawsuits arising from disputes relating to the provisions of this law that are filed by workers or their beneficiaries are exempt from judicial fees.

Article (14)

An employer is required to return a non-Omani worker to his country or to any other country agreed upon after the end of the employment contract within a maximum period of (60) sixty days. The employer shall also grant the worker, upon request, a release from any obligations towards him at the end of the labor contract or the worker's departure from the Sultanate of Oman.

In the event that the worker refuses to travel, the competent authority shall return the worker at the expense of the Ministry and refer to the employer for the costs incurred by the Ministry in this regard. The worker has the right to remain in the Sultanate of Oman if he files a lawsuit to claim his dues until his case is decided, without the employer bearing any financial consequences in this regard.

Article (15)

The Minister shall issue a decision regulating the return of a non-Omani worker to his country in the event of discovering that the worker is not medically fit to work upon his first arrival in the Sultanate of Oman, or if it is proven that he has forged academic qualifications or work experience, or if he wishes to return without a legitimate reason, or in the event of the worker leaves work.

Article (16)

The Minister may regulate work in a particular sector of work or a particular category of work whenever the public interest so requires.

Article (17)

The Minister shall issue a decision regulating the following works:

- 1- Casual work that does not naturally fall within the scope of the employer's activities.
- 2- Temporary work.
- 3- Part-time work.
- 4- Remote work.

Part II

Organization of Work

Chapter I

Employment of Omanis

Article (18)

Work is a right for Omanis, and non-Omanis may not practice work within the Sultanate of Oman except in accordance with the conditions and procedures stipulated in this law and the decisions issued in implementation thereof.

Article (19)

The employer or his representative shall record in a special register in the establishment the data related to Omani workers in accordance with the form prepared by the Ministry, and shall keep this register at the workplace, and shall update it on the Ministry's website or submit it in writing during the month of January of each year, including the following:

- 1- A detailed statement of the number of his Omani workers, indicating their professions, wages, and gender.
- 2- A statement of the number and type of job vacancies during a year, if any.
- 3- The annual plan for Omanization and replacement in the establishment.

Article (20)

The Minister shall issue a regulation for the training of Omanis, provided that the regulation shall include the proportion of the establishment's contribution to training programs, in coordination with the Oman Chamber of Commerce and Industry and with each economic sector.

Article (21)

A fund for the development of national human resources shall be established in the Ministry, which shall specialize in financing programs, policies, employment, qualification, and empowerment for workers in the private sector. The Council of Ministers shall approve the system of the fund, its sources of financing, and the rules and procedures that govern its work, after the Ministry has coordinated with the competent authorities regarding it.

Article (22)

The employer who employs (25) twenty-five workers or more shall undertake the following procedures:

- 1- Announcing the professions, requirements, conditions and selection criteria specified for their occupation.

- 2- Compliance with the professional classification approved by the Ministry in a way that facilitates the establishment's procedures for achieving Omanization.
- 3- Determining wages, employment benefits, and working conditions.
- 4- Training Omanis to develop their skills and raise their efficiency.
- 5- Providing the appropriate work environment and facilities in the workplace.
- 6- Providing performance evaluation systems.
- 7- Preparing a plan for the appointment and training of Omanis to occupy leadership professions, and following up on its implementation.
- 8- Developing practical strategies to retain the Omani workforce.

The minister may amend the number of workers prescribed in this article, after the approval of the Council of Ministers.

Article (23)

The employer shall be obliged to employ Omanis in the establishment. The proportion of Omanization in the various economic sectors, activities and professions that each sector includes shall be determined by a decision of the Minister, according to the circumstances of each sector or activity and the availability of the necessary Omani labor force, and the proportion stipulated for Omanis in the professions in which an Omani manpower is available to work.

The professions and works in which Omanis will replace non-Omanis shall also be determined by a decision of the Minister.

The employer shall treat all workers equally in the event that the nature of work and its conditions are agreed upon.

Article (24)

The employer who employs (40) forty workers or more shall be obliged to appoint Omani people with disabilities who are professionally qualified in the works that are appropriate for their cases, within the limits of the proportion that is determined by a decision of the Minister.

The Minister may amend the number specified in the previous paragraph after the approval of the Council of Ministers.

Persons with disabilities employed in accordance with the previous paragraph shall enjoy the same rights as other workers.

Article (25)

The employer or his representative shall electronically update the data form referred to in Article (22) of this Law with the professions that have been vacated or created with him, of any type, with a statement of each, the gross wage allocated to them, and the specified date for occupying it, within (30) thirty days from the date of their vacancy or creation.

And the employer shall, within a month of the date of employing one of the Omanis, send the registration form for this worker to the competent authority from which it was issued, attaching a statement that includes the date of receipt of the work, the specified wage for him, and the type of work, and the registration number and date must be recorded in front of the worker's name in the register of workers in the establishment, who should be classified according to the level of skill, professional groups, and other classifications that are issued by a decision of the Minister to determine them.

Article (26)

In order to employ Omanis, the competent authority shall undertake the following:

- 1- Obtaining a statement from employers of vacant professions and the necessary conditions for occupying them.
- 2- Nominating workers for vacant professions when they meet the conditions for occupying them.
- 3- Providing advice and guidance to job seekers regarding the field of training and vocational guidance to facilitate their employment in vacant professions.

The employer has the right to choose between the candidates and others to fill the vacant positions he has.

Chapter II

Regulation of the work of non-Omanis

Article (27)

It is prohibited for the employer to recruit non-Omani workers unless he obtains a license to do so from the Ministry, and the following conditions are required to grant this license:

- 1- There is no Omanis who have the necessary scientific qualifications, experience, or technical skills for the required professions.
2. The employer is committed to the approved Omanization plan and the established Omanization rates.
- 3- The Non-Omani worker is of scientific qualifications, practical experience, technical skills, professional competence, or other professions that the country needs.
- 4- Payment of the prescribed fees.

Article (28)

It is prohibited for a non-Omani to join any work in the Sultanate of Oman before obtaining a work permit, and the following conditions are required to grant a work permit:

- 1- To pass the professional standards tests for practicing the professions specified by the competent authority. A list of professions that require a professional practice certificate will be issued by a decision by the Minister.
- 2- That the worker has entered the Sultanate of Oman legally and meets the conditions stipulated in the Foreigners Residence Law and the regulations and decisions issued in implementation thereof.
- 3- The Worker Shall be fit from a health point of view and free from diseases specified by the Ministry of Health.
- 4- The worker shall be under contract with an employer who holds the necessary licenses from the competent government authorities.
- 5- Payment of the prescribed fees.

Article (29)

The employer is prohibited from:

- 1- To allow any non-Omani worker who has been authorized to employ him and has been granted a work permit to work for others unless he has notified the Ministry electronically and has been authorized by it to do so.
- 2- To employ any non-Omani worker who is authorized to work for others unless he has provided the Ministry electronically with the worker's data and address of work in accordance with the specified form.

The Minister shall determine the controls for the transfer of non-Omani workers from one job to another, the controls and procedures that the employer is required to follow regarding reporting the departure of the non-Omani worker from work, and the obligations and penalties imposed on the worker and the employer as a result of violating the decision.

- 3- To employ any non-Omani worker in any profession that is decided to restrict employment to Omanis.

Article (30)

The Minister shall determine by decision the following:

- 1- The fees for work permits, the fees for a work permit, its renewal, and for registering and renewing data, and this is after the approval of the Ministry of Finance and the approval of the Council of Ministers.

The work permit shall be renewable for the same period or for any period specified in the decision.

- 2- Professions and jobs that non-Omanis are not allowed to practice.
- 3- Professions and jobs in which the work permits are temporarily suspended.

- 4- The conditions and professions in which non-Omani workforce may temporarily move between private sector establishments.
- 5- The classification of professions according to professional levels.

Article (31)

It is prohibited to engage in the activity of recruiting non-Omani labor except after obtaining a license from the Ministry. It is also prohibited to collect any sums from the worker who is authorized to be recruited, in return for his employment. The Minister shall determine by decision the conditions and controls that must be met to engage in the activity of recruiting non-Omani workforce and the contract concluded between the employer and the authorized person to practice the activity.

Article (32)

Advertising, promoting and classifying labour on the basis of creed, color or cost and advertising it in a manner offensive to human dignity are prohibited.

Part III

Employment Contract and Obligations of Employer and Worker

Chapter I

The employment contract

Article (33)

The employment contract must be in writing, and written in Arabic in two copies, each party has a copy. However, the contract may be written in a language other than Arabic, provided that a copy written in Arabic is attached to it, which is approved by the parties to the contract. If there is no written employment contract, the worker may prove his rights by all means of proof, and the contract must be approved by the competent authority.

Article (34)

The employment contract may be concluded for a fixed term or for an indefinite period. If its period is specified, it must not exceed (5) five years, renewable by agreement of the parties. In the case of renewal of the contract, the period or the new period shall be considered an extension of the original period and shall be added to it in calculating the total service period of the worker.

Article (35)

The employment contract shall be considered indefinite in the following cases:

- 1- If the contract was concluded without specifying its term.

- 2- If the contract was concluded for a period of more than (5) five years.
- 3- If the original and renewed term of the contract exceeds (5) five years.
- 4- If the contract is not in writing or if it is a written and fixed-term contract, and its term has expired, and the parties have nevertheless continued to implement it without a written agreement between them.
- 5- If the employment contract was concluded to complete a specific work and that took a period of more than (5) five years.
- 6- If the employment contract concluded to complete a specific work is renewed, and the period of completing the original work and the works for which the contract is renewed exceeds (5) five years.
- 7- If the employment contract concluded to complete a specific work has expired and its parties have continued to implement it after completing that work without an express agreement to renew it.

Article (36)

In particular, the employment contract must include the following data:

- 1- The name of the employer, the establishment, and the address of the place of work.
- 2- The name of the worker, date of birth, qualification, profession, place of residence, and nationality.
- 3- The type of work, its conditions, and the term of the contract if it is for a fixed term.
- 4- The basic wage and any bonuses, allowances, benefits, or remuneration that the worker is entitled to under the applicable terms of service, and the date of payment of the agreed wage.
- 5- The appropriate period of notice to be carried out on those of the parties to renew the contract, provided that the notice period granted by the employer to the worker must not be less than one month.
- 6- The commitment to respect religions and religious beliefs, the laws of the Sultanate of Oman and its customs and traditions, and not to interfere in activities that affect the security of the Sultanate of Oman.

Article (37)

The probationary period of the worker in the employment contract - if any - shall be specified, provided that it does not exceed (3) three months for those who receive their wages monthly, and for a period not exceeding (2) two months for those who receive their wages otherwise.

It is not permissible to place the worker under probation more than once with the same employer, and the probationary period shall be included if the worker successfully passes it in his service period.

Either party to the contract may terminate it during the probationary period if it is proven that it is not suitable to continue working, and this is after notifying the other party with (7) seven days at least.

Article (38)

The parties to an employment contract - for an employment contract for an indefinite period - may terminate it at any time after the conclusion of the contract based on a legitimate reason by means of a notice sent to the other party in writing before the termination date by (30) thirty days for workers appointed on a monthly wage, and (15) fifteen days for others, unless the contract provides for a longer period.

If the contract is terminated without taking into account the notice period, the party that terminated the contract shall be obliged to pay the other party compensation equal to the notice period or the remaining part thereof, calculated on the basis of the last gross wage that the worker was receiving.

Article (39)

The period of notice issued by the employer to the worker to terminate the contract shall not commence in the event of his being on leave except from the day following the end of the leave.

In all cases, the employer is obliged to allow the worker during the notice period to be absent from his work for a period of (10) ten hours per week, paid, to look for a new job, and the worker must notify the employer of obtaining the new job, and then resume work after that until the end of the notice period.

Article (40)

The employer may dismiss the worker without prior notice, and without end-of-service gratuity in any of the following cases:

- 1- If he assumed a false identity, or resorted to forgery to obtain the work.
- 2- If he committed an error that resulted in a significant material loss for the employer, provided that the latter notifies the competent authority of the incident within (30) thirty working days from the date of his knowledge of its occurrence.
- 3- If he did not comply with the written instructions that must be followed for the safety of workers and the workplace, despite being warned in writing, and its violation would result in significant damage to the workplace or workers.
- 4- If he absented himself without a valid excuse from work for more than (7) seven consecutive days, or (10) ten days separately during the year, provided that the dismissal is preceded by a written warning from the employer to the worker after his absence (5) five days in the first case.
- 5- If he disclosed the secrets of the establishment where he works in a manner that is not authorized by law.
- 6- If he was finally convicted of a felony or a crime that violates honor or honesty, or in a misdemeanor committed at the workplace or during the course of his work.

- 7- If he was found during working hours in a state of intoxication, or under the influence of a narcotic substance, or a mental stimulant, or committed an act that violates public morals.
- 8- If he committed an assault on the employer or his representative during work or because of it, or if he committed an assault on one of his superiors, or if he assaulted one of the workers at the workplace and this results in illness and disability to perform the work.
- 9- If the worker failed seriously to fulfill his obligation to perform the work agreed upon in the employment contract.

Article (41)

The worker may leave work without being bound by the notice period specified in Article (38) of this Law, or before the end of the contract if it is for a fixed term, while retaining all of his rights, including end-of-service gratuity and without prejudice to his right to compensation, after notifying the employer of this in any of the following cases:

- 1- If the employer or his representative committed fraud during the contracting with the worker.
- 2- If the employer did not pay the worker his salary for more than (2) two consecutive months, or failed to fulfill his essential obligations in accordance with the provisions of this Law and the employment contract.
- 3- If the employer or his representative committed an act that violates public morals towards the worker.
- 4- If the worker was assaulted by the employer or his representative or his supervisor during work or because of it.
- 5- If there is a serious risk that threatens the safety or health of the worker, provided that the employer was aware of the existence of this risk, and did not implement the measures prescribed in this regard.

Article (42)

The employment contract shall terminate in any of the following cases:

- 1- Expiry of its term or completion of the agreed work.
- 2- Termination of the contract by the worker or the employer in accordance with the provisions of this Law.
- 3- Incapacity of the worker to perform his work or his death.
- 4- The worker's illness for a period of not less than (3) three consecutive or separate months during one year, provided that the sick leave period specified in Article (82) of this Law and his balance of regular leaves have been exhausted.

Article (43)

Without prejudice to the provisions of Article (40) of this Law, the employer may terminate the contract from his side after notifying the worker in the following cases:

- 1- Attainment of the age of retirement, which entitles the worker to a pension under the Social Protection Law, unless otherwise agreed upon.
- 2- Termination of the service of the non-Omani worker in accordance with the Omanization plan, if he appoints an Omani worker to replace him in the same profession that he occupied.
- 3- Failure of the worker to reach the required level of efficiency after being notified of the aspects of inefficiency and being granted a reasonable period of not less than (6) six months to reach it. If the worker fails, the employer may terminate the employment contract. In the case where the worker whose services are terminated is an Omani, it is required to appoint an Omani worker to replace him in the same profession that he occupied.
- 4- Closure of the establishment completely or partially, or its bankruptcy, or reduction of the volume of its activity, or replacement of a production system with another that affects the size of the workforce. In the case of non-total closure or bankruptcy of the establishment, consideration shall be given to not terminating the contract of the Omani worker who enjoys the same competence and experience as the non-Omani who works with him in the establishment.
- 5- In the event of the availability of economic reason at the establishment.

In the cases specified in paragraphs (3) and (4) of this Article, the employer is required to notify the Ministry of the reason for termination before (3) three months from the date of termination of the contract.

Article (44)

In the event of the availability of economic reason, and after the approval of the committee stipulated in Article (45) of this Law, the employer may reduce the number of workers in his establishment to the extent required to maintain the continuity of the establishment's work and avoid the risks of bankruptcy.

Article (45)

A special committee shall be established by a decision by the Minister to consider the requests submitted by private sector establishments regarding the reduction of the number of workers, headed by the Ministry and with the membership of the following entities:

- 1- Ministry of Commerce, Industry and Investment Promotion.
- 2- Oman Chamber of Commerce and Industry.
- 3- The General Union of Workers of the Sultanate of Oman.

The employer who has an economic reason shall submit a request to this committee accompanied by supporting evidence, indicating the number of workers proposed to be reduced. The committee shall study the request and decide whether to accept or reject it.

The decisions of the committee shall be final unless they are appealed before the Court of Appeal within (30) thirty days from the date of notification to the employer thereof.

In the event that the committee is convinced that the economic reason is available at the establishment, it may find suitable alternatives to terminating contracts by agreement with the employer and workers, including the following alternatives:

- 1- Reduction of the number of hours or days of work in the establishment in exchange for a reduction in wages, provided that this procedure is for a specified period to be determined by the committee and is subject to extension by its decision for other periods if necessary.
- 2- Granting workers specified unpaid leave, provided that this is for certain periods and that it covers all workers of the establishment in equal proportions.
- 3- Reducing the wages of all workers of the establishment by certain proportions, provided that this is for a specified period that can be extended if necessary.

Article (46)

In the event that the employer obtains approval to reduce the number of his workers, he must comply with the following:

- 1- Follow a fair standard in selecting the workers whose contracts will be terminated, such as workers with the lowest performance grades or any other standard.
- 2- Grant the workers whose contracts will be terminated a notice period of not less than (3) three months.
- 3- The workers whose contracts will be terminated shall have priority in re-employment in the same establishment in the event that a job opportunity is available that meets the requirements of their qualifications.

Article (47)

Proof of the worker's illness shall be by a medical certificate, and disability for a worker by a decision of the competent committees or institutions authorized by these committees in accordance with the laws in force, and proof of age shall be by the document submitted as a justification at the time of contracting, and no other document submitted after that shall be taken into account.

Article (48)

Without prejudice to the provisions of the Social Protection Law, if the employer has a supplementary or savings program for workers, and the program's regulations state that what the employer pays into the program on behalf of the worker is in lieu of his legal obligation to pay end-of-service gratuity and

is equal to what he is entitled to in gratuity or more, then this amount must be paid to the worker instead of the gratuity, otherwise the gratuity shall be due.

If the worker has contributed to the funds of this program, he is entitled to combine what he is entitled to in the program, with the end-of-service gratuity.

In all cases, prior approval must be obtained from the Ministry and the Social Protection Fund for the establishment of these programs in accordance with the conditions and regulations prescribed by law.

Article (49)

The employer shall be bound by all the obligations of the establishment in the event of its dissolution, liquidation, closure, bankruptcy, merger into another, sale, lease, assignment, will, gift, or other transactions, and in the event of the death of the employer, the heirs shall be bound by the employer's obligations in proportion to their shares within the limits of what is prescribed legitimately.

In all cases other than liquidation, bankruptcy, and authorized total closure, the employment contract shall remain in force, and the successor shall be jointly and severally liable with the previous employers for the implementation of all the obligations prescribed by law, taking into account the priority provided for the rights of workers.

Article (50)

The employer is obliged to employ the Omani workforce that was working in the same project that has been transferred to him in whole or in part, by granting them the same wage, benefits, and financial incentives agreed upon in the transfer agreement.

Article (51)

The Minister may issue a decision to regulate the employment relationship in cases where the Sultanate of Oman takes measures in relation to a situation or circumstance that requires it, provided that it includes, in particular, reducing working hours, or reducing the minimum operating conditions stipulated in this Law or the employment contract, the penalties for violating the decision, or taking precautionary measures.

Chapter II

Employer's obligations

Article (52)

The employer is obliged to establish a special file for each worker that includes, in particular, the following:

- 1- The worker's name, age, marital status, place of residence and nationality.
- 2- The worker's profession, qualifications and experience.
- 3- The date the worker started work and the details of his salary.

- 4- The leaves the worker receives.
- 5- The penalties imposed by the employer on the worker.
- 6- Work performance reports of the worker.
- 7- The date of termination of the worker's service and its reasons.

The employer shall keep the file referred to in the previous paragraph for at least one year from the date of termination of the employment relationship.

In all cases, the employer shall keep the confidentiality of the information provided by the worker or that the employer is aware of in accordance with the provisions of this Law, and the worker shall be given a receipt for any papers and certificates that he has deposited with the employer.

Article (53)

The employer may not violate the provisions of the contract or assign the worker to work other than the agreed upon work, except if necessary to prevent an accident, or to repair what resulted from it, or in the case of force majeure, and temporarily.

However, the employer may assign the worker to work other than the agreed upon work if that work does not differ from the original work fundamentally, and this requires not to prejudice the worker's rights, and that it does not result in serious harm or financial burdens without fair compensation.

Article (54)

In the event that he employs (50) fifty or more workers, the employer is obliged to prepare a regulation of the work system that includes, in particular, the rules governing work in the establishment, the rights and obligations of both the employer and the worker, the rules governing the relationship with his colleagues and superiors, the provisions for promoting the worker and determining the categories of wages, bonuses, and allowances of all kinds and payment dates, and the performance appraisal system, and the Ministry shall approve the regulation within (2) two months from the date of its receipt, and if that period expires without a response from it, it becomes effective, and the employer shall provide the worker with an approved copy of this regulation.

The employer shall amend the regulation in accordance with the laws, regulations, and decisions, and submit it to the Ministry for approval.

The Minister shall issue a form guided by the regulation of the work system after consulting with the Joint Dialogue Committee between the parties of production.

In all cases, the provisions contained in the form referred to in this Article shall apply to establishments that do not comply with the development of an approved regulation of the work system by the Ministry.

Article (55)

In the event that the employer employs (25) twenty-five workers or more, the employer is obliged to prepare a special regulation for penalties and the conditions for their signing, in accordance with the

forms and rules issued by a decision by the Minister, and the employer shall submit this regulation and any amendments to it to the Ministry, and the Ministry shall approve the regulation within (2) two months from the date of its receipt, and if that period expires without a response from it, it becomes effective, and the employer shall enable the worker to obtain an approved copy of this regulation. In all cases, the provisions contained in the forms and rules referred to in this Article shall apply to establishments that do not comply with the development of a special regulation for penalties approved by the Ministry.

Article (56)

In the preparation of the penalty regulation stipulated in Article (55) of this Law, the following shall be taken into account:

- 1- To specify the acts that the worker is forbidden to commit, and the penalties prescribed for them, provided that they are escalating penalties.
- 2- Not to sign more than one penalty for a single violation.
- 3- Not to impose a penalty on the worker for an act he committed outside the workplace unless it was related to work.

Article (57)

The employer is obliged to provide first aid facilities for his workers in the establishment, and if the number of his workers in one place exceeds (200) two hundred workers, then he shall appoint a qualified nurse to perform medical first aid, or contract with a specialized institution to provide those services.

If the worker was treated in a government or private hospital and health insurance coverage was not available, the employer shall bear the costs of treatment, medication, and hospital stay, in accordance with the regulations and financial systems in force in those hospitals.

Article (58)

The employer who carries out work in the areas specified by the Minister is obliged to provide his workers with appropriate transportation, and to provide them with suitable housing, food, and drinking water in places he prepares for this purpose.

Article (59)

The employer may, where appropriate and by agreement with the worker, transfer the worker from his original work location to any other work location in the same establishment, or from his original work to any other work in one of his other establishments after obtaining a license for that from the Ministry in this case.

In all cases, the employer shall bear all the costs arising therefrom.

Article (60)

The employer shall provide a dedicated rest area for women in the headquarters of the establishment where the number of female workers exceeds (25) twenty-five female workers.

Article (61)

Without prejudice to the provisions of Article (48) of this Law, the employer shall, upon termination of the employment relationship of workers who do not benefit from the provisions of the Social Protection Law, pay the worker a gratuity for the duration of his service, not less than one basic wage for each year of his service years, and the worker is entitled to the gratuity for fractions of the year in proportion to the period he spent in service, and the worker's last basic wage is taken as the basis for calculating the gratuity.

The period of service that began before the entry into force of this Law shall be counted within the period of service considered in determining the duration of the due gratuity.

The provisions of this Article shall apply until the implementation of the savings system stipulated in the Social Protection Law, and the employer may settle the worker's rights for the period of his service before the start of work with the savings system to the savings system or to the worker, provided that the settlement is calculated at the basic wage in this case on the date of settlement.

Article (62)

The employer is obliged to deliver to the worker upon his request and without charge a certificate of end of service stating the date of entry into service, the date of exit, the type of work he was performing, the wage, other bonuses, and other benefits, if any.

The employer shall return to the worker any papers or certificates that he may have deposited with him, and the worker shall sign for the receipt of his papers and certificates.

Article (63)

The employer may not impose any penalty on the worker except after notifying him in writing of what was attributed to him and hearing his statements and investigating his defense and recording them in writing in a record prepared for that purpose.

Article (64)

The employer may not question the worker about a violation that has passed more than (30) thirty days since its discovery, and it is also not permissible to impose a disciplinary penalty on the worker after the date of proving the violation by more than (60) sixty days.

Article (65)

The employer may not impose on the worker for a single violation a fine of more than the value of the wage of (5) five days in a month, or to suspend him disciplinary from work with deprivation of the whole or part of the wage for a single violation for a period of more than (5) five days in a month.

Article (66)

The employer may investigate the worker himself or entrust one of the workers in the establishment to investigate the worker, provided that the job level of the investigator is not less than the level of the violating worker, and he may entrust the investigation to another person with experience in the matter of the violation if the violation is serious.

The worker referred to the investigation has the right to review the investigation procedures and the documents related to it and to obtain copies of these documents.

Chapter III

Obligations of the worker

Article (67)

A worker shall comply with the following:

- 1- Perform the work himself under the direction and supervision of the employer or his representative, in accordance with what is specified in the contract and in accordance with the provisions of this Law and the regulations and decisions issued in implementation thereof, and to exert in its performance the care that the ordinary person exerts.
- 2- Execute the orders of the employer or his representative regarding the implementation of the agreed work if these orders do not violate the contract, the law, or morality, and if their implementation does not expose him to danger.
- 3- Preserve the means of production and tools of work placed at his disposal with the care and attention of the ordinary person, and to take all necessary measures to preserve and ensure their safety.
- 4- Preserve the secrets of work.
- 5- Work continuously to develop his skills and experience in accordance with the systems and procedures established by the employer.
- 6- Not to use work tools outside the workplace without the approval of the employer, and to keep these tools in the places designated for that purpose.
- 7- Implement the occupational safety and health instructions established by the employer, whether under this Law or the regulations and decisions issued in implementation thereof.
- 8- Not to accept gifts, commissions, bonuses, money, or otherwise on the occasion of his work without the approval of the employer.
- 9- Not to keep original documents and papers pertaining to the work for himself.

10- Not to engage - in any capacity - in an activity similar to the activity that the employer practices during the validity of the employment contract concluded with him.

11- To improve the treatment of his colleagues at work and show the respect due to them and to their superiors, and to cooperate with them in a way that achieves the interests of the establishment in which he works.

Article (68)

If the worker intentionally causes the loss, damage, or destruction of tools, machines, or products owned by the employer or were in his custody, he shall bear the necessary amount in return for that. The employer, after conducting an investigation and notifying the worker, may begin to deduct this amount from the worker's monthly gross wage, not to exceed (25%) twenty-five percent of his wage in the month. The worker may submit a complaint about the employer's estimate to the competent authority within (30) thirty days from the date of his knowledge of the deduction, and in this case the procedures for settling labor disputes shall be followed in accordance with the provisions of this Law.

Article (69)

In cases where the work that the worker performs qualifies him to compete with the employer through his knowledge of the secrets of work or knowledge of the customers of the establishment, the parties to the employment contract may agree that the worker may not compete with the employer or participate in a work that competes with him after the termination of the contract, provided that the time, place, and type of work are specified, provided that the place does not exceed the geographical scope in which he exercises his activity and the specified period does not exceed (2) two years. The employer may not adhere to the agreement if he terminated the contract without the worker doing something to justify that, and the employer may not adhere to the agreement if he did something to justify the worker's termination of the contract.

The employer may insist on the right to compensation in the event of the worker's breach of the competition condition without exaggerating the request for compensation, and if it is proven that the employer exaggerated in his request for compensation with the intention of forcing the worker to stay with him, what was agreed upon shall be considered null and void.

Part IV

Working hours, holidays and wages

Chapter I

Working hours

Article (70)

It is not permitted to employ the worker more than (8) eight actual working hours per day, up to a maximum of (40) forty actual working hours per week, provided that they are interspersed with them, and not including an hour for resting daily, eating, and that the period of continuous work does not exceed (6) six hours. The maximum working hours in the month of Ramadan shall be (6) six hours per day, or (30) thirty working hours per week, for Muslim workers.

The employer shall set in a conspicuous place in his establishment a schedule of working hours and daily and weekly rest dates. Cases and works in which it is imperative for technical reasons and operating conditions to continue working without a rest period shall be determined by a decision by the minister.

Article (71)

The worker may work additional hours beyond the working hours stipulated in article (70) of this law if the interest of work so requires, provided that the total original and additional working hours do not exceed (12) twelve hours per day for workers. The employer shall grant the worker an additional wage equivalent to his basic wage calculated in accordance with the additional working hours, in addition to (25%) twenty-five percent at least of the daytime working hours, and (50%) fifty percent at least of the night working hours, or grant him permission to be absent from work instead of the hours in which he worked overtime.

If the overtime is on weekly rest days or any official holiday, the employer shall pay the worker a cash amount equal to (100%) one hundred percent of the daily basic wage of the worker, in addition to the wage of the same day, or grant the worker compensatory time off instead of the days during which he worked, so that he is granted one day for each working day if the work is during weekly rest days and official holidays.

In all cases, the worker must agree to do overtime or not.

Article (72)

As an exception to the provisions of article (71) of this law, the employer may assign the worker to overtime work without obtaining his consent in any of the following cases:

- 1- Annual inventory, preparation of the budget, liquidation, closing of accounts, and preparation for sale at discounted prices, provided that the number of days in which the worker

works more than the scheduled duration of daily work does not exceed (15) fifteen days per year, unless the competent authority authorizes longer periods.

2- If the work is to prevent an accident or repair what resulted from it, or to avoid a realized loss of perishable materials, or if the operation is intended to face an unusual pressure. The employer shall notify the competent authority within (24) twenty-four hours of the emergency situation, or overtime, and the duration necessary to complete the work.

In all cases, the worker receives an additional wage equal to his basic wage calculated according to the overtime hours, plus (50%) fifty percent at least for daytime work, and (75%) seventy-five percent for night work. If the overtime is on weekends or public holidays, the worker shall be entitled to a cash amount equal to (200%) two hundred percent of the basic wage in addition to the wage of the same day, or compensation of (2) two days of rest for each day of work if the work is during public holidays.

Article (73)

The employer may not comply with the provisions of Articles (70, 71) of this law in seasonal work and sectors of work that are specified and regulated by a decision by the Minister.

Article (74)

The employer shall transfer the worker who works on a night shift system to the daytime shift system if it is proven by a certificate issued by an accredited medical authority that the worker is unable to perform the work during the night shift.

Article (75)

Women may be employed during night hours in the circumstances, works, and occasions specified by a decision by the Minister.

Women may be employed in hazardous, arduous, or unhealthy work or other work specified by a decision by the Minister.

Article (76)

A nursing mother shall be granted one hour per day to care for her child, starting after the end of the maternity leave for a period of one year. The mother shall determine the time of this hour, and it shall be counted as part of the actual working hours.

Chapter II

Holidays

Article (77)

A worker is entitled to a weekly rest with pay of at least two consecutive days. In all cases, the worker shall not be deprived of his right to weekly rest days due to his absence from work with or without justification.

In the works and areas specified by the Minister, the weekly rest may be combined.

Article (78)

A worker shall be entitled to an annual leave with full pay of at least thirty days, which he shall enjoy according to the requirements of work. He may not take leave before the expiry of at least six months from the date of his joining the work with the employer. The worker who has not benefited from his annual leave has the right to retain the leave balance for no more than (30) thirty days, unless his non-utilization to benefit from the leave is due to the interests of work.

The worker's annual leaves may be combined according to the agreement between the parties. A non-Omani worker is entitled to a round-trip ticket to his country to spend his agreed-upon leave in the contract and back to his place of work. In all cases, the worker may not waive his leave, but in the works, sectors, and categories that are regulated by a decision by the Minister, the annual leaves may be replaced by a work system that is more favorable to the worker.

Article (79)

The worker is entitled to his gross wage during the official holidays stipulated by law.

Article (80)

The employer may grant the worker, upon his request, a special leave without pay, provided that the worker in this case bears all the contributions to the Social Protection Fund, including his share, the employer's share, and the government's share during the leave period. This leave is considered within the worker's service period and is not taken into account in calculating the end-of-service gratuity provided for in Article (61) of this Law.

Article (81)

The leave may be divided according to the requirements of work, except for the leaves of juvenile workers. The employer may postpone the annual leave of the worker if the interests of work require that, and for a period not exceeding (6) six months.

The worker must take leave at least once every two years, for a period of not less than (30) thirty days.

The employer may pay the worker the basic wage for the days of annual leave that he did not receive if the worker agrees to this in writing.

The worker is entitled to the gross wage for his balance of annual leave if his service ends before he has used it.

Article (82)

A worker who proves his illness is entitled to a sick leave of no more than (182) one hundred and eighty-two days in a year, based on the following percentages of the gross wage:

- 1- From the first (1) day until the day (21) twenty-one: (100%) one hundred percent of the wage.
- 2- From day (22) twenty-two until day (35) thirty-five: (75%) seventy-five percent of the wage.
- 3- From the day (36) thirty-six until the day (70) seventy: (50%) fifty percent of the wage.
- 4- From day (71) seventy-one until day (182) one hundred and eighty-two: (35%) thirty-five percent of the wage.

Article (83)

The female worker may be granted a leave without pay to care for her child for a period not exceeding (1) one year, provided that the female worker in this case bears all the contributions to the Social Protection Fund, including her share, the employer's share, and the government's share during the leave period. This leave is considered within the female worker's service period and is not taken into account in calculating the end-of-service gratuity provided for in Article (61) of this Law.

Article (84)

The worker is entitled to a special leave with full pay as follows:

- 1- (7) Seven days of paternity leave, provided that the child is born alive and that the leave does not exceed (98) ninety-eight days of the child's age.
- 2- (3) Three days in the event of his marriage.
- 3- (3) Three days in the event of the death of the father, mother, grandfather, grandmother, brother or sister.
- 4- (2) Two days in the event of the death of an uncle or aunt.
- 5- (10) Ten days in the event of the death of the wife or one of the sons or daughters.
- 6- (15) Fifteen days to perform the Hajj to the Sacred House of Allah once throughout the period of his service, provided that the worker has spent a period of (1) one continuous year in the service of the employer.
- 7- To perform an academic examination up to a maximum of (15) fifteen days per year for the Omani worker enrolled to study in one of the schools, institutes, colleges or universities.
- 8- (130) one hundred and thirty days for a Muslim female worker in the event of the death of her husband and (14) fourteen days for a non-Muslim female worker.
- 9- (15) fifteen days throughout the year for the Omani worker to accompany a patient with whom he has a marital relationship or a relationship of kinship up to the second degree.

10- Ninety-eight days of maternity leave for the female worker to cover the period before and after childbirth. The female worker is granted leave to cover the period before childbirth upon the recommendation of the competent medical authority, provided that its duration does not exceed (14) fourteen days, and the rest of the duration of this leave is granted from the date of childbirth.

To grant the leaves stipulated in this article, it is required to provide proof of this.

Chapter III

Wages

Article (85)

Wages and other amounts due to the worker shall be paid in Omani Rials unless agreed to be paid in one of the currencies in circulation legally in the Sultanate of Oman.

Article (86)

The burden of proving the fulfillment of the wage to the worker falls on the employer.

Article (87)

The employer's liability for the worker's wages shall not be discharged unless he has transferred the worker's wages to his account with one of the banks or local financial institutions licensed by the Central Bank of Oman.

The Minister shall issue a decision regulating the conversion of wages by employers and cases of exception.

Article (88)

The Minister shall issue a decision to determine the minimum wage after consultation with the Joint Dialogue Committee between the parties of production and its approval by the Council of Ministers.

Article (89)

The Minister shall issue a decision to determine the minimum amount of the periodic allowance and the procedures, conditions, and methods of payment, and cases of suspension and reduction.

Article (90)

Wages shall be paid on one of the working days, taking into account the following provisions:

- 1- Workers appointed on a monthly salary shall have their wages paid at least once a month.
- 2- If the work is part-time, and the work requires a period of more than two weeks, the worker shall receive a weekly advance payment commensurate with the work he has completed, and

the rest of the salary shall be paid to him in full within the following week of completing the work he was assigned to.

In other than the two previous cases, the wage shall be paid to the worker once a week, provided that it may be paid to him once every (2) two weeks, or every month if he agrees in writing to this, and in all cases, the wage Shall be paid within three days of the end of the period for which it is due, and it is permissible by a decision by the Minister to determine the date of payment of the wages of workers before the specified date for them on the occasion of national and official holidays.

Article (91)

The employer shall be obliged to pay the worker's wages and all amounts due to him immediately upon the termination of the employment relationship, unless the worker has left the work on his own, in which case the employer shall pay the worker's wages and all his dues within seven days from the date of leaving the work.

Article (92)

Wages, rights, and all amounts due to the worker or to those entitled to him under the provisions of this Law shall have priority over all other debts owed by the employer, except for the legally awarded legitimate alimony.

Article (93)

It is not permissible to oblige the worker to purchase food or goods from certain stores or from what the employer produces.

Article (94)

The employer may not transfer a monthly-paid worker to the category of daily workers or to the category of workers paid weekly, by piece, or by the hour, except with the worker's written consent, and in the case of consent to transfer, the worker shall have all the rights he has acquired during the period he spent on a monthly salary in accordance with the provisions of this Law.

Article (95)

The employer may not deduct from the worker's wage to fulfill what he has loaned him of money during the validity of the contract more than what was agreed upon between the parties, and not to collect any interest on these loans, and the same rule applies to wages paid in advance.

Article (96)

It is not permissible to seize or waive the wages due to the worker except within one-quarter, for a debt of legal alimony or to pay the amounts due to him to the government or to the employer, and in case of conflict, the priority is for the debt of legitimate alimony.

If the worker's service ends, the government's dues and the dues that are proven to the employer - if any - shall be deducted from the end-of-service gratuity and from any other entitlements.

Article (97)

The right of the shift worker or the worker whose wage is determined on the basis of the hour, day, week, half-month, or month, who is absent from work without permission or a valid excuse, is limited to obtaining the wage of the hours in which he actually worked.

The hourly wage for the worker whose wage is determined on the basis of the month is calculated by dividing the total wage by the period for which the wage is granted and then by the number of original hours according to the employment contract or according to the law, whichever is less.

The hourly wage for the shift worker in this case is calculated on the basis of dividing the total wage for the work cycle assuming that he is fully employed therein by the number of original hours without overtime hours.

It is not permissible to deduct from the worker's wage for any hour or day in which he is absent from work due to his being summoned in writing to appear before the court, the public prosecution, the committee, or the competent authority, and it is not permissible to deduct from the wage of the trade union member for absence due to his being officially summoned in cases related to the practice of his trade union work, provided that the employer is informed of this in advance.

Part V

Employment of Juveniles

Article (98)

It is prohibited to employ the juvenile worker of both sexes or to allow him to enter workplaces unless he reaches the age of (15) fifteen, and it is permissible by a decision by the Minister to raise this age in some industries, works, and professions that require it.

Article (99)

It is not permissible to employ the juvenile worker between the hours of six in the evening and six in the morning, and it is not permissible to operate him for a period of more than six hours a day.

It is not permissible to keep the juvenile worker in the workplace for more than (7) seven consecutive hours, and there must be a period or more of rest and eating food for a total of at least one hour, and this period or periods are determined so that the worker does not work for more than (4) four consecutive hours.

Article (100)

It is not permissible to assign the juvenile worker to work overtime, or to keep him in the workplace after the scheduled times, and it is also not permissible to operate him on weekly rest days or official holidays.

Article (101)

In the event of employing the juvenile worker, the employer shall be obliged to do the following:

- 1- Verify the consent of the parent or guardian regarding his operation.
- 2- Conduct a medical examination of the juvenile worker to verify his health fitness to work, with repeated medical examination on a regular basis to verify the continuation of his health fitness, at the dates to be determined by a decision by the Minister.
- 3- To have a special system for the employment of juveniles that clarifies the working hours, daily rest periods, and weekly rest times, and the juvenile worker has the right to obtain a copy of it during official work.
- 4- To issue a list showing the names, ages, and dates of operation of the juveniles.
- 5- To notify the competent authority of the names of the juveniles before employing them and the persons who are assigned to monitor their work.

Article (102)

Without prejudice to the provisions of Articles (98, 99, 100, 101) of this Law, a system of employment of juveniles, the conditions and circumstances in which operation is carried out, and the works, professions, and industries in which they work are determined according to different age stages by a decision by the Minister.

Part VI

Occupational Safety and Health

Article (103)

An Occupational Safety and Health Committee shall be established in the Ministry, and a decision is issued by the Minister to form it, determine its competences, and regulate its work.

Article (104)

The employer or his representative is required to inform the worker before employing him of the risks of his profession, and the means of protection that he must take, and to take the necessary precautions to protect workers during work from health damage and the dangers of work and machines, by:

- 1- Work to provide the necessary conditions of occupational safety and health in the workplace or the means that he provides for workers to be able to perform their duties.
2. Ensure that workplaces are always clean and meet occupational safety and health conditions.
- 3- Ensure that machines, parts, and numbers are assembled and maintained in the best safety conditions.
- 4- Provide the necessary training to familiarize workers with the risks associated with their professions and how to prevent them.

The employer may not charge the worker or deduct any amount from his wages in return for providing this protection.

Article (105)

The worker is required to refrain from any act that is intended to prevent the implementation of instructions, misuse, harm, or damage to the means put in place to protect and ensure the safety and health of workers in the establishment. He must use means of protection and take the necessary care to preserve his equipment and means of work, and to implement the instructions put in place to preserve his safety, health, and protection from injuries.

Article (106)

The regulation of occupational safety and health shall be issued by a decision by the Minister after coordination with the three parties of production (government, employers, and workers), and the concerned authorities, provided that it includes the following measures:

- 1- General occupational safety and health measures that must be applied in all workplaces, such as those related to lighting, ventilation, air renewal, drinking water, toilets, removing dust and smoke, workers' sleeping places, and precautions taken against fire.
- 2- Measures specific to certain types of work.
- 3- The Penalties imposed in the event of violation of the provisions of this regulation.

Article (107)

If there is a violation of the provisions of occupational safety and health, the competent authority may issue a written notice to the employer to take corrective measures to stop the violation within the period specified in the notice. In the event of an imminent danger that threatens the safety and health

of workers, the Ministry must take the necessary measures to close the workplace, in whole or in part, or to stop the use of equipment until the causes of this danger are removed. Police assistance may be requested from the Royal Oman Police, if necessary, to implement these measures.

Part VII

Trade unions and sectoral general unions and the General Union of Workers

Article (108)

Workers may form a trade union among themselves to promote their interests, defend their rights, improve their material and social conditions, and represent them in all matters relating to their affairs.

Article (109)

Trade unions form a General Union of Workers to represent them in local, regional, and international meetings and conferences.

Trade unions may form sectoral general unions among themselves.

Article (110)

Trade unions, sectoral general unions, and the General Union of Workers enjoy independent legal personality from the date of registration with the Ministry. They have the right to exercise their activities freely without interference in their affairs or influence on them.

The Minister shall issue decisions regulating the formation, operation, and registration of trade unions, sectoral general unions, and the General Union of Workers, and mechanisms for releasing the trade union member from work to perform his trade union duties and responsibilities.

Article (111)

It is prohibited to apply the penalty of dismissal or any other penalty on workers' representatives in trade unions, sectoral general unions, or the General Union of Workers for practicing their trade union activity in accordance with this Law and the ministerial regulations and decisions issued in implementation thereof.

Part VIII

Settlement of Collective Labor Disputes, Strikes, and Closures

Chapter I

Settlement of Collective Labor Disputes

Article (112)

The collective labor agreement shall be concluded for the period agreed upon by the parties, and shall be renewable by agreement between them. It is permissible to conduct collective bargaining before the agreement expires by at least (3) three months. It is also permissible to negotiate any of the terms of the agreement during its validity upon request of any of the parties.

Article (113)

Both parties to the dispute have the right to submit a request to the Committee to settle it, in the event that there is no collective labor agreement, or if the collective labor agreement does not contain provisions for the settlement of collective labor disputes, or if collective bargaining fails to resolve the dispute.

Article (114)

The collective labor agreement regulates the terms and conditions of employment in the establishment or sector of employment. The agreement must be written in Arabic and signed by representatives of the parties to the collective bargaining and certified by the Ministry, otherwise it is invalid.

Any provision in a collective labor agreement that violates the provisions of this Law and the regulations and decisions issued in implementation thereof shall also be invalid, unless this provision is more beneficial to the worker.

Article (115)

Without prejudice to the provisions of Article (112) of this Law, the Ministry shall review the collective labor agreement for sectors and ratify it and register it in the register it prepares for this purpose. It has the right to object to it in whole or in part and refuse to register it. The parties to it shall be notified of the reasons for the objection within one month of the date of its submission to it. If this period expires without its ratification or objection, this shall be considered as an approval of this Agreement by the Ministry and it shall register it.

In all cases, a collective labor agreement shall not be valid and binding on the parties to it unless it is ratified and registered in the register prepared by the Ministry for this purpose.

Article (116)

Committees are established in the Ministry to settle collective labor disputes. The Minister shall issue a decision to form them, determine their competences, and regulate their work, provided that the formation of the committee is individual and includes in its membership a representative of the Ministry, a representative of employers, and a representative of the General Union of Workers.

Article (117)

In the event of a dispute between an employer or his representative and all his workers or a team of them, the following procedures shall be followed:

- 1- The workers shall submit a written request to the employer to settle the dispute, and send a copy of it to the competent authority.
- 2- The employer shall respond in writing to the workers' request within a maximum period of (7) seven days from the date of receipt of the request, and a copy of his response shall be sent to the competent authority.
- 3- If the period referred to in clause (2) of this Article expires without a response from the employer, or if the settlement is not possible for any reason, the parties or one of them, or their representatives, may submit a request to the Committee to take amicable settlement procedures.

Article (118)

The request for settlement of the collective labor dispute submitted to the Committee shall include the following:

- 1- The names and addresses of the parties involved in the dispute.
- 2- An explanatory memorandum on the subject of the dispute.
- 3- Supporting documents for the parties to the dispute.
- 4- The procedures, if any, have been followed for the settlement of the dispute.

Article (119)

The Committee shall resolve the dispute amicably within (15) fifteen days from the date of submission of the request. If the settlement is amicable, the Committee shall record that in an agreement signed by the parties. In the event that the dispute cannot be resolved amicably, the Committee shall submit a report to the competent authority within (7) seven days from the date of the failure of the amicable settlement, which includes a summary of the dispute, what was accepted or rejected by the parties, or one of them, and the reasons for the rejection.

Article (120)

If the dispute cannot be resolved amicably, or if the parties or one of them do not accept the amicable settlement, either party may submit a request to the competent authority to take arbitration procedures that will refer the dispute to the Arbitration Committee for Collective Labor Disputes.

Article (121)

A committee called "Arbitration Committee for Collective Labor Disputes" shall be established in the Ministry. It shall be formed of the president of one of the chambers of the Court of Appeals, and membership of each of the following:

- 1- An arbitrator on behalf of the Ministry appointed by the Minister.
- 2- An arbitrator on behalf of the employer appointed by the Chairman of the Oman Chamber of Commerce and Industry.
- 3- An arbitrator on behalf of the workers appointed by the Chairman of the General Union of Workers.

The Ministry, the employer, and the General Union of Workers shall each choose a substitute arbitrator to replace the original arbitrator in his absence.

Article (122)

The chairman of the Arbitration Committee for Collective Labor Disputes shall set a session to hear the dispute, not exceeding a period of (15) fifteen days from the date of submission of the arbitration request.

Article (123)

The Arbitration Committee for Collective Labor Disputes shall rule on the dispute submitted to it within a period not exceeding)1 (one month from the beginning of its consideration.

Article (124)

The Arbitration Committee for Collective Labor Disputes shall apply the laws, regulations, and decisions in force. If there is no legislative provision that can be applied, the Arbitration Committee shall rule on the dispute in accordance with the provisions of Islamic law, custom, or the rules of justice and equity in accordance with the prevailing economic and social conditions.

The judgment shall be issued with reasons by a majority of the votes. If the votes are equal, the side of the president shall prevail. The judgment shall be final and cannot be appealed except before the Supreme Court.

Article (125)

The Arbitration Committee for Collective Labor Disputes shall notify the parties to the dispute of its decision by registered letter within (3) three days from the date of its issuance. The Arbitration Committee shall send the file of the dispute to the competent authority after notifying its parties to keep it for the period to be determined by a decision by the Minister, and those concerned parties shall have the right to obtain a copy of the decision.

Each party to the dispute may appeal the decision of the Arbitration Committee to the Supreme Court in accordance with the conditions, procedures, and deadlines stipulated in the Civil and Commercial Procedure Code.

Article (126)

The provisions of the Arbitration Law in Civil and Commercial Disputes and the provisions of the Civil and Commercial Procedure Code shall apply, insofar as no specific provision has been provided regarding arbitration in collective labor disputes.

Chapter II **Strike and Closure**

Article (127)

Workers have the right to strike peacefully from work in the establishment to improve working conditions and terms, provided that the strike is declared with the approval of three-quarters of the members of the general assembly of the trade union in the establishment.

Article (128)

It is prohibited to strike, call for a strike, or incite a strike in establishments that provide public or essential services to the public, including oil installations, oil refineries, ports, airports, public transportation, and other establishments that are to be determined by a decision by the Minister.

Article (129)

Workers or their representatives in the establishment are required to notify the employer and the competent authority in writing of the workers' desire to strike at least (3) three weeks before the specified date, and the strike reasons and workers' demands shall be explained in the notification. The Committee shall be provided with a copy of this notification to proceed with the procedures for settling the collective labor dispute in accordance with the provisions of this Law.

Article (130)

Workers shall suspend the strike when the procedures for settling the collective labor dispute begin.

Article (131)

The strike from work stipulated in Article (127) of this Law shall result in the duration of the strike being calculated as a leave without pay for the worker.

Article (132)

The employer is prohibited from closing the establishment in whole or in part during the stages of settling the dispute amicably or during the settlement of the dispute by arbitration.

Article (133)

The employer has the right, if necessary, to close the establishment in whole or in part to defend his interests.

The closure shall be stopped immediately upon the parties' agreement to start the procedures for settling the collective labor dispute.

Article (134)

The employer shall notify the workers or the trade union in the establishment of the closure. The notification shall include the reason for the closure and the planned date of implementation. The closure may not be implemented before the expiry of (3) three weeks from the date of the notification. The Committee shall be provided with a copy of the notification to proceed with the procedures for settling the collective labor dispute in accordance with the provisions of the Law.

Article (135)

An employer is prohibited from closing an establishment that provides public or essential services, including oil installations, oil refineries, ports, airports, public transportation, and other establishments to be determined by a decision by the Minister.

Article (136)

The days of closure shall be considered working days and shall be paid for.

Part IX

Labor Inspection and Joint Dialogue between Production Parties

Chapter I

Labor inspection

Article (137)

Employees who are designated by a decision of the competent authority by law in agreement with the Minister shall have the powers of judicial police within the scope of the application of the provisions

of this Law, the regulations, and the decisions issued in implementation thereof. The Minister shall determine by decision the rules and procedures governing their work, and they shall have the right to enter the workplace, inspect the books, records, and papers related to it to ensure the application of the provisions of this Law, the regulations, and the decisions issued in implementation thereof.

These employees shall take an oath before the Minister before commencing work that they will perform their work with honesty and integrity and that they will not disclose any secrets of work or any information or data that they have become aware of by virtue of their work, even after the end of their service.

Article (138)

The employer or his representative is required to provide the employees mentioned in Article (137) of this Law with the necessary facilities to perform their duties and all the data or information they request, provided that they are complete and accurate, with regard to the application of the provisions of this Law, the regulations, and the decisions issued in implementation thereof.

It is prohibited for any person to deliberately obstruct or hinder these employees from exercising their work.

Article (139)

The Minister shall issue a decision to determine the procedures and controls that are to be dealt with in accordance with the provisions of the Labor Law, and the decisions issued in in implementation thereof.

The Ministry, in coordination with the competent authorities, may link the violations registered against employers in the record of the obligations of those authorities and to stop their services until those violations are removed.

Chapter II

Joint Dialogue Committee between Production Parties

Article (140)

A committee called "The Joint Dialogue Committee between Production Parties" shall be established in the Ministry, with the following competences:

- 1- Study the proposals that would regulate the labor market.
- 2- Promote and reinforce labor relations between production parties.
- 3- Study developments in Arab and international labor standards to benefit from them in promoting joint dialogue in a way that serves the labor relations between production parties.
- 4- Joint cooperation to direct the efforts of social partners in the labor market in order to increase production, enhance competitiveness, achieve a balance and harmony between the

interests of workers and employers in a way that enhances the national effort to achieve comprehensive and sustainable development.

5- Study the forms prepared by the Ministry for the labor system, penalties, and complaints.

Article (141)

The Joint Dialogue Committee between Production Parties shall be formed under the chairmanship of the Minister, with representatives from the three production parties (government, employers, and workers) as members.

The Minister shall issue a decision to form the committee and determine its system and work mechanism.

Part X Penalties

Article (142)

Without prejudice to any more severe penalty stipulated by any other law, the crimes specified in this law shall be punished with the penalties stipulated therein.

Article (143)

The following shall be punished by imprisonment for a period not less than (10) ten days and not more than one month, and a fine of not less than (1000) one thousand OMR and not more than (2000) two thousand OMR, or one of these two penalties:

1- Whoever incites, helps, agrees, or commits any act in violation of the provisions of Article (29) of this Law. If the perpetrator of the violation is a non-Omani, he shall be deported from the Sultanate of Oman at the expense of the employing party, and he shall be prohibited from entering it. The penalty shall be multiplied by the number of non-Omani workers who were employed without a license or in violation of the license. The employer who employed them shall be responsible for the costs of returning them to their countries, while the employer and the employing party shall be prohibited from recruiting non-Omani workers for a period not exceeding (2) years. The penalty shall be doubled if the worker who was employed was one who entered the Sultanate of Oman illegally, or who left his work with the employer who was licensed to employ him. The penalty shall be doubled if the violation is repeated.

2- The employer or his representative who refuses to provide the necessary facilities or data or information in accordance with the provisions of this Law, or provides false data or information to the employees, or does any act that would deprive the worker of his right to

exercise his trade union activity or obstruct the formation of trade unions, sectoral general unions, or the General Union of Workers.

3- Whoever violates the provisions of Articles (31) and (32) of this Law and the decisions related to the conditions of the license, in addition to the cancellation of the license, or its suspension for a period not less than (1) one year.

4- Whoever deliberately obstructs or hinders one of the employees who are authorized to have the powers of judicial police from exercising his powers or completing any duty that is authorized to him, or imposed on him. The penalty shall be doubled if the violation is repeated.

5- The Non-Omani worker who works in the Sultanate of Oman without a license, or who works for an employer other than the employer who is licensed to employ him, in addition to the cancellation of the license issued to him, if any, and deportation from the Sultanate of Oman at the expense of the employing party, and prohibition from entering the Sultanate of Oman.

6- Whoever violates the provisions of Articles (5), (18), (22), (27), (75), (76), (98), (99), and (100) of this Law.

Article (144)

Any employer who does not comply with the stipulated Omanization rates or the plan to replace non-Omani workers with Omanis shall be punished by a fine of not less than (500) five hundred OMR and not more than (1000) one thousand OMR, for each Omani required to be appointed or replaced. The employer shall achieve the legally stipulated Omanization rate within (6) six months from the date of discovery of the violation. The penalty shall be doubled if the violation is repeated.

Article (145)

Whoever commits the following shall be punished by imprisonment for a period no less than (1) one month and not exceeding (6) six months, and a fine no less than (500) five hundred OMR and not exceeding (3,000) three thousand OMR, or one of those two penalties:

- 1- Violates the provisions of Articles (128), (129), (130), (132), (134), and (135) of this Law.
- 2- A worker who obstructs or hinders work in the establishment during the strike period.

Article (146)

A worker who requests or accepts for himself or for another any consideration whatsoever, or takes a promise to do so without the knowledge and consent of the employer to perform any of the tasks assigned to him, or to refrain from doing so, shall be punished by imprisonment for a period of not less than (3) three months and not more than (3) three years, and a fine of not less than (1000) one thousand OMR and not more than (5000) five thousand OMR, or one of these two penalties.

Article (147)

Whoever violates the provisions of Articles (3), (6), (8), (14), (19), (24), (25), (36), (39), (49), (50), (52), (53), (54), (55), (57), (58), (59), (60), (61), (62), (63), (64), (65), (70), (74), (87), (91), (93), (94), (95), (101), (104), (111), and (117) of this Law shall be punished by a fine of not less than (500) five hundred OMR and not more than (1000) one thousand OMR.

In all cases, the penalty shall be multiplied by the number of workers who have been subjected to the violation, and the penalty shall be doubled if the violation is repeated.

Article (148)

Whoever violates the provisions of Articles (77), (78), (79), (82), (84), and (90) of this Law shall be punished by a fine of not less than (100) one hundred OMR and not more than (300) three hundred OMR. The penalty shall be multiplied by the number of workers in respect of whom the violation occurred, and the penalty shall be doubled if the violation is repeated.

Article (149)

The Minister or whomever he authorises may not proceed with the prosecution procedures in the crimes punishable under this Law and settle with financial fines in accordance with the rules and categories issued by a decision by the Minister.

The Minister may also administratively deport the violating worker from the Sultanate of Oman at the expense of the employing party, and prohibit him from entering the Sultanate of Oman, and suspend the services of the Ministry from the employer and the employing party.

Article (150)

By decision of the Minister, administrative penalties may be imposed for violating the provisions of this Law, regulations, and decisions issued to implement it.